

Notice of Allowability

Application No.

10/764,758

Examiner

Joseph D. Anthony

Applicant(s)

HUGHES, TERENCE CHARLES

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1714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 03/16/05.
2. ☒ The allowed claim(s) is/are 2-4,6-9,11-17,19,24-28,30-31 [renumbered as 2-15,1,20,16-19,21-23].
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Andrew N. Parfomak on 06/08/05.

The application has been amended as follows:

Claim 18 (currently amended) A method of collecting mineral values from an aqueous ore slurry by froth flotation, the method comprising the step of adding an aqueous fatty hydroxamate composition to the aqueous ore slurry wherein the pH of said aqueous fatty hydroxamate composition is at least 11 and said aqueous fatty hydroxamate composition is essentially free of water insoluble solvents and removing the froth and associated mineral values.

In claim 19, line 7, after **BOTH OCCURANCES** of the word "hydroxamate" insert the word --composition--.

Claim 28 (currently amended) A method of collecting mineral values from an aqueous ore slurry by froth flotation, the method comprising:

forming an aqueous fatty hydroxamate composition by providing an aqueous hydroxylamine free base and combining the hydroxylamine free base with fatty acid ester in the presence of alkali to form a fatty hydroxamate;

adding further alkali to the fatty hydroxamate to provide an aqueous mixture of fatty hydroxamate of pH of at least [11;] 11 and said aqueous fatty hydroxamate composition is essentially free of water insoluble solvents; and

adding [an] said aqueous fatty hydroxamate composition of pH of at least 11 to the aqueous ore slurry forming a foam in the ore slurry and removing the froth and associated mineral values.

Claim 29 has been canceled.

2. The following is an examiner's statement of reasons for allowance:

Since the preamble of independent claim 18 is drawn to a method of collecting mineral values from an aqueous ore slurry by froth flotation, it was deemed necessary to amend claim 18 to have an active method step to actually accomplish said preamble goal. As such, claim 18 has been amended to insert: --and removing the froth and associated mineral values--.

Newly added independent claim 28 has been amended to insert the limitation of newly added dependent claim 29 into it. This amendment was deemed to be necessary to overcome the previously applied prior-art reference to Wang et al which requires the use of a solvent that is an admixture of water and C₈-C₂₂ alcohol, wherein the

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concentration of the C₈-C₂₂ alcohol is far in excess of applicant's allowable fatty alcohol concentration, see column 4, lines 21-59 of Wang et al. and page 3, lines 16-19 of applicant's specification.

Independent claims 18, 19 and 28 have all been amended to insert the word —composition—after the word “hydroxamate” for clarity sakes. Claim 29 has been canceled due to the examiner's amendment to claim 28.

The examiner takes has his reasons for allowance the reasons for patentability as set forth in the REMARKS section of applicant's amendment filed 03/16/05 with the one exception that it was deemed necessary to incorporate the subject limitation of claim 29 into independent claim 28 to overcome the previously applied Wang et al. patent.

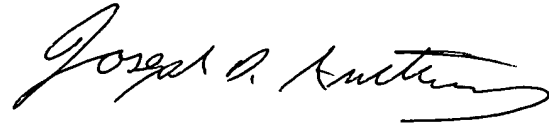
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Examiner Information

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Joseph D. Anthony whose telephone number is (571) 272-1117. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Vasu Jagannathan, can be reached on (571) 272-1119. The centralized FAX machine number is (703) 872-9306. All other papers received by FAX will be

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treated as Official communications and cannot be immediately handled by the
Examiner.

A handwritten signature in black ink, appearing to read "Joseph D. Anthony". The signature is fluid and cursive, with a long horizontal stroke at the end.

Joseph D. Anthony
Primary Patent Examiner
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6/8/05